

RECEIVED

FORM 202 Rev 08/16  
OCT 07 2020

84431

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Ident. No. 93-7682

DWR / NORTH

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) JOHN CADY Phone 509-688-4085  
 Name connector (check one): ☐ and ☐ or ☐ and/or  
 Mailing address 32264 S SENKLER RD City WORLEY  
 State ID ZIP 83876 Email cadyincome@rezmail.com
2. Name of representative, if any \_\_\_\_\_ Phone \_\_\_\_\_  
 Mailing address \_\_\_\_\_ City \_\_\_\_\_  
 State \_\_\_\_\_ ZIP \_\_\_\_\_ Email \_\_\_\_\_
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR  
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR  
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply SPRING which is a tributary of UNNAMED STREAM
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
47N	05W	34		NW	NW	NE	KOOTENAI	UNNAMED STREAM	

5. Water will be used for the following purposes:
- Amount 0.03 CFS for STOCKWATER purposes from 1/1 to 12/31 (both dates inclusive)  
 (cfs or acre-feet per year)
- Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per year)
- Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per year)
- Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.03 cubic feet per second (cfs) and/or (b) \_\_\_\_\_ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. PIPE FROM SPRING TO TEE FITTING THAT SERVICES TWO 70 GAL TANKS; OVERFLOW DISCHARGES BACK TO UNNAMED STREAM.
- b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
- c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? \_\_\_\_\_; drilling firm \_\_\_\_\_; well was drilled for (well owner) \_\_\_\_\_; Drilling Permit No. \_\_\_\_\_

## For Department Use

Received by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ Preliminary check by \_\_\_\_\_  
 Fee \$ 100.00 Received by Jer Receipt No. N036480 Date 10-7-2020

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. \_\_\_\_\_
  - Stockwatering; list number and kind of livestock. 70 head mixed stock
  - Municipal; must complete and attach the Municipal Water Right Application Checklist.
  - Domestic; show number of households \_\_\_\_\_
  - Other; describe fully. \_\_\_\_\_
9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
  - If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
47N	05W	34		S															

Total number of acres to be irrigated: \_\_\_\_\_

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? \_\_\_\_\_
11. a. Who owns the property at the point of diversion? APPLICANT  
b. Who owns the land to be irrigated or place of use? APPLICANT  
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: \_\_\_\_\_
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Applicant diverts water from stream for stockwater purposes.
13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

Print Name (and title, if applicable)


Signature of Applicant


Print Name (and title, if applicable)



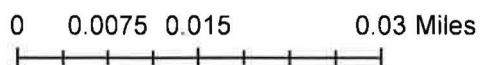


**Legend**

 Township/Range

 Sections

QQ





State of Idaho

## DEPARTMENT OF WATER RESOURCES

NORTHERN Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763  
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

October 28, 2020

JOHN CADY  
32264 S SENKLER RD  
WORLEY, ID 83876-6715

RE: Application for Permit No. 93-7682, 93-7683, & 93-7684

Dear Applicant:

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the COEUR D ALENE PRESS on 11/5/2020 and 11/12/2020. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Tammy Alleman  
Administrative Assistant

**Alleman, Tammy**

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**From:** Alleman, Tammy  
**Sent:** Wednesday, October 28, 2020 4:24 PM  
**To:** 'LEGALS@CDAPRESS.COM'  
**Subject:** Legal Notice  
**Attachments:** Legal Notice for 7682.docx

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **November 5<sup>th</sup> & November 12<sup>th</sup>, 2020** (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately. Please send a proof once you have the article ready for print for our review.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **November 23, 2020**. Your cooperation is appreciated.

Thank you,

Tammy

*Tammy Alleman  
Administrative Assistant  
Idaho Department of Water Resources  
7600 N Mineral Drive, Suite 100  
Coeur d'Alene, ID 83815-7763  
Phone: (208) 762-2800  
Fax (208) 762-2819*

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

**93-7682**

JOHN CADY  
32264 S SENKLER RD  
WORLEY, ID 83876-6715  
Point of Diversion NWNWNE  
S34 T47N R05W  
KOOTENAI County  
Source SPRING  
Tributary ROCK CREEK  
Use: STOCKWATER  
01/01 to 12/31  
Total Diversion: 0.03 CFS  
Date Filed: 10-07-2020  
Place Of Use: STOCKWATER  
T47N R05W S34 NWNE

**93-7683**

JOHN CADY  
32264 S SENKLER RD  
WORLEY, ID 83876-6715  
Point of Diversion NENWNE  
S34 T47N R05W  
KOOTENAI County  
Source SPRING  
Tributary ROCK CREEK  
Point of Diversion NWNE  
S34 T47N R05W  
KOOTENAI County  
Source UNNAMED STREAM  
Tributary ROCK CREEK  
Use: WILDLIFE STORAGE  
01/01 to 12/31 0.5 AF  
Use: STOCKWATER STORAGE  
01/01 to 12/31 0.1 AF  
Use: DIVERSION TO STORAGE  
01/01 to 12/31 0.01 CFS  
Total Diversion: 0.01 CFS, 0.6 AF  
Date Filed: 10-07-2020  
Place Of Use: DIVERSION TO STORAGE, STOCKWATER STORAGE, WILDLIFE STORAGE  
T47N R05W S34 NWNE

**93-7684**

JOHN CADY  
32264 S SENKLER RD  
WORLEY, ID 83876-6715  
Point of Diversion NWNE  
S34 T47N R05W  
KOOTENAI County  
Source UNNAMED STREAM  
Tributary ROCK CREEK  
Use: STOCKWATER STORAGE  
01/01 to 12/31 1.3 AF  
Use: WILDLIFE STORAGE  
01/01 to 12/31 0.5 AF  
Total Diversion: 1.8 AF  
Date Filed: 10-07-2020  
Place Of Use: STOCKWATER STORAGE, WILDLIFE STORAGE  
T47N R05W S34  
NENW, NWNE

**95-18017**

LEROY E MACKLIN  
ANNETTE M DESJARDINS  
606 W 15TH AVE  
POST FALLS, ID 83854-7217  
Point of Diversion NENWSE  
S30 T52N R05W  
KOOTENAI County  
Source SPRING  
Tributary HAUSER CREEK  
Point of Diversion NENWSE  
S30 T52N R05W  
KOOTENAI County  
Source SPRING  
Tributary HAUSER CREEK  
Use: DOMESTIC  
01/01 to 12/31 0.04 CFS

Use: STOCKWATER  
01/01 to 12/31 0.02 CFS  
Total Diversion: 0.04 CFS  
Date Filed: 10-13-2020  
Place Of Use: DOMESTIC,STOCKWATER  
T52N R05W S30 NWSE

**95-18018**

MARK DAVIS & JACKIE LYNN LIVING TRUST  
16565 N RAMSEY RD  
RATHDRUM, ID 83858-8245  
Point of Diversion NESE  
S27 T52N R04W  
KOOTENAI County  
Source GROUND WATER  
Use: DOMESTIC  
01/01 to 12/31  
Total Diversion: 0.04 CFS  
Date Filed: 10-08-2020  
Place Of Use: DOMESTIC  
T52N R04W S27 NESE

**95-18019**

MARK DAVIS & JACKIE LYNN LIVING TRUST  
16565 N RAMSEY RD  
RATHDRUM, ID 83858-8245  
Point of Diversion NESE  
S27 T52N R04W  
KOOTENAI County  
Source GROUND WATER  
Use: DOMESTIC  
01/01 to 12/31 0.04 CFS  
Use: IRRIGATION  
03/15 to 11/15 0.14 CFS  
Total Diversion: 0.18 CFS  
Date Filed: 10-08-2020  
Place Of Use: DOMESTIC,IRRIGATION  
T52N R04W S27 NESE  
Total Acres: 7

**95-18022**

LINDA M HAGENBARTH  
WILLIAM L HAGENBARTH  
24670 S COTTONWOOD BAY LN  
WORLEY, ID 83876-6005  
Point of Diversion NWNE  
S4 T47N R04W  
KOOTENAI County  
Source COEUR D ALENE LAKE  
Tributary SPOKANE RIVER  
Use: IRRIGATION  
03/15 to 10/31  
Total Diversion: 0.02 CFS  
Date Filed: 10-15-2020  
Place Of Use: IRRIGATION  
T47N R04W S4  
L1(NWNE),NWNE  
Total Acres: 0.3

**95-18023**

VAUGHN WARD  
KIRSTEN WARD  
7647 E TAILFEATHER DR  
SCOTTSDALE, AZ 85255-4784  
Point of Diversion SENE  
S16 T50N R04W  
KOOTENAI County  
Source GROUND WATER  
Point of Diversion SENE  
S16 T50N R04W  
KOOTENAI County  
Source GROUND WATER  
Point of Diversion SENE  
S16 T50N R04W  
KOOTENAI County  
Source GROUND WATER  
Use: IRRIGATION  
03/15 to 11/15



Total Diversion: 0.18 CFS  
Date Filed: 10-16-2020  
Place Of Use: IRRIGATION  
T50N R04W S16 SENE  
Total Acres: 9

**95-18025**

FAMILY HERITAGE LEGACY LLC  
1725 E UPDAHL CT  
HARRISON, ID 83833-7784  
Point of Diversion SWNW  
S8 T49N R03W  
KOOTENAI County  
Source GROUND WATER  
Use: DOMESTIC  
01/01 to 12/31  
Total Diversion: 0.04 CFS  
Date Filed: 10-19-2020  
Place Of Use: DOMESTIC  
T49N R03W S8 SWNW

**95-18026**

FAMILY HERITAGE LEGACY LLC  
1725 E UPDAHL CT  
HARRISON, ID 83833-7784  
Point of Diversion SWNW  
S8 T49N R03W  
KOOTENAI County  
Source UNNAMED STREAM  
Tributary COEUR D ALENE LAKE  
Use: IRRIGATION  
03/15 to 11/15  
Total Diversion: 0.09 CFS  
Date Filed: 10-20-2020  
Place Of Use: IRRIGATION  
T49N R03W S8 SWNW  
Total Acres: 3

**95-18028**

GARY SCHENKENBERGER  
GAYLE SCHENKENBERGER  
726 W MILL AVE  
COEUR D ALENE, ID 83814-2438  
Point of Diversion NWNE  
S33 T50N R03W  
KOOTENAI County  
Source GROUND WATER  
Use: DOMESTIC  
01/01 to 12/31  
Total Diversion: 0.1 CFS  
Date Filed: 10-21-2020  
Place Of Use: DOMESTIC  
T50N R03W S33 NWNE

**95-18030**

WALKING HORSE PARTNERS LLC  
10063 N NAVION DR  
HAYDEN, ID 83835-5040  
Point of Diversion L3(NWSW)  
S7 T53N R02W  
KOOTENAI County  
Source GROUND WATER  
Use: DOMESTIC  
01/01 to 12/31  
Total Diversion: 0.15 CFS  
Date Filed: 10-26-2020  
Place Of Use: DOMESTIC  
T53N R02W S7  
NESW,L3(NWSW)  
Place Of Use: DOMESTIC  
T53N R03W S12 NESE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of \$25.00 for each application on or before 11/23/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/5/2020 and 11/12/2020



## MEMORANDUM

**To:** Water Right Permit 93-7682

**From:** Luke Bates 

**Date:** 10/26/2020

**Re:** Application for a Permit to Appropriate Water within the State of Idaho.

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An application for permit for stockwater use in the name of John Cady was received on 10/7/2020. During final review prior to advertising, question three identifies the source(s) of water supply as SPRING, which is a tributary of Unnamed Stream. Referencing Arcmap DRG layer, the correct tributary should read North Fork Rock Creek. Water permit 93-7682 has been updated to reflect the correct tributary, North Fork Rock Creek, prior to advertising.

Additionally, question 4 describes the source of water as an unnamed stream, whereas question 3 identifies the source as a spring. During data entry, the source of water for the application was entered as a spring source, with the initial application entry for question 4 being erroneous.